IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

INSOLVENCY PETITION NO.170 of 2004

Mohan Chellaram Manik ...Debor

Exparte

The Shamrao Vithal Co Op Bank Ltd

..Petitioning Creditor

Mr.R.V.CVengurlekar for Petitioning Creditor

Debtor absent though served.

CORAM:DR.D.Y.CHANDRACHUD,J.

1st February 2005

P.C.:-

. A Recovery Certificate was obtained under Section 101 of the Maharashtra Co operative Societies Act, 1960. The amount due and payable is an excess of Rs.1.07 crores. After the Insolvency Notice was served a Notice of Motion was taken out for setting aside the Insolvency Notice which was dismissed on 3-8-2004. An affidavit of service has been filed. There is no reply nor any representation on behalf of Judgment Debtor.

. The Petition is made absolute in terms of prayer clauses (a) and (b).

(DR.D.Y.CHANDRCHUD,J.)